

## OVERVIEW

The primary focus of Michigan's adoption program is the adoptive placement of state and permanent court wards. In appropriate cases, local Department of Human Services (DHS) offices and placement agency foster care (PAFC) must develop a dual permanency plan for a child as early in the case as possible. This process, known as concurrent planning, requires foster care staff to provide reunification services and also plan for a permanent placement if reunification efforts fail.

Children are referred for adoption services following termination of parental rights or the voluntary release of parental rights with commitment to DHS. Michigan has developed a delivery system which involves adoption staff in selected local DHS county offices and private adoption agencies through purchase of service. The role of the adoption services worker is to ensure a timely adoptive placement that meets the individual needs of the child.

Cooperative efforts between local DHS offices and private agencies under contract will ensure that every child finds a permanent and appropriate placement that meets his or her individual needs.

### Adoption Program Philosophy

In Michigan, we believe:

- Every child, regardless of age or disability, is entitled to a permanent family relationship.
- Permanence includes a stable, healthy, and lasting living situation that includes a family relationship with at least one committed adult.
- Connections with siblings, extended family, and a network of significant adults is crucial to a child's well-being.
- Permanency planning must begin at the first foster care placement of the child. If returning home (reunification) is not possible, planning must occur to ensure the best permanent placement for the child. In all cases, timely return home or another permanent placement is the goal.
- Services must respect cultural, racial, ethnic and religious/spiritual backgrounds of children and their families.

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## POLICY VIOLATIONS

Violation of these adoption services policies provides grounds for employee disciplinary action according to Civil Service procedures.

## MULTIETHNIC PLACEMENT ACT COMPLAINT PROCEDURES

### Legal Requirements

Title VI of the Civil Rights Act of 1964.

The Howard M. Metzenbaum Multiethnic Placement Act, 42 U.S.C. § 5115a (1994), as amended by 42 U.S.C. § 622 (1996) prohibits an agency or entity that receives federal funds and is involved in adoption or foster care placements from:

- Denying any person the opportunity to become an adoptive or foster parent on the basis of race, color or national origin.
- Delaying or denying the placement of a child for adoption or into foster care on the basis of race, color or national origin of the foster parent or the child.

The Small Business Job Protection Act, 42 U.S.C. § 671 (1996) clarifies the Howard M. Metzenbaum Multiethnic Placement Act of 1994. Any consideration of race, color or national origin in a foster care placement must be considered only on an individual basis and if consideration of these factors is in the child's best interest.

Violation of this statute subjects the state or other entity in the state involved in adoption and foster care placements to financial penalties.

### General Policy

The Multiethnic Placement Act of 1994 as amended by the Interethnic Adoption Provisions of the Small Business Job Protection Act of 1996 (MEPA) and Title VI of the Civil Rights Act of 1964, prohibit discrimination in foster care and adoption placements on the grounds of race, color, or national origin. Noncompliance with MEPA is deemed a violation of Title VI.

Any foster care or adoptive applicant or approved foster care/adoptive parent who has reason to believe that he/she has been denied or delayed the placement of a child because of race, color, or national origin may file a complaint.

### **Written Consent**

A complaint should be in writing, contain the name, address and phone numbers of the person filing it, and briefly describe the nature of the complaint and the circumstances of the alleged discrimination. A complaint should be filed within ten working days of the occurrence of the alleged act of discrimination. This requirement may be waived by the Foster Care or Adoption Program Manager or designee if extenuating circumstances exist which justify an extension. However, in no case will a complaint be entertained after 90 days of the occurrence of the alleged act of discrimination.

The written complaint must be filed with:

DHS Program Office  
Michigan Department of Human Services (DHS)  
Suite 514  
PO Box 30037  
Lansing, Michigan 48909

The director of the local county office and contracted private agency, if applicable, which is alleged to have violated MEPA will receive a copy of the complaint as well as the appropriate DHS Business Services Center director. If the complaint is from a foster parent, the Foster Care Program manager will also receive a copy. If the complaint is from an adoptive parent, the Adoption Program manager will also receive a copy.

### **Informal Hearing**

The Adoption Program manager, or designee and/or the Foster Care Program manager or designee and a representative from Child Welfare Field Operations will hold an informal conference to review the facts of the allegation within ten working days of receipt of the written complaint. An extension of the time limits may be warranted if convenient for all parties. The complainant will be notified in writing of the location, date, and time of the conference. Complainants who are unable to attend a conference in person due to their location will be offered a teleconference.

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**Review**

The Adoption Program manager or designee and/or the Foster Care Program Manager or designee and a representative from Child Welfare Field Operations will informally review the facts of the complaint and notify the complainant of conclusions in writing within ten working days of the conference/teleconference.

**Appeal**

Within ten working days of the receipt of the decision, the complainant may appeal an unfavorable decision in writing to:

Office of Equal Opportunity and Diversity Programs  
Michigan Department of Human Services  
Suite 715  
PO Box 30037  
Lansing, Michigan 48909

This procedure does not impair the right of an individual to file a complaint with the Office for Civil Rights, U.S. Department of Health and Human Services or the Michigan Department of Civil Rights.

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